

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:21-cv-00399-FDW-DCK

ANDRE ANTONIO DAVIS,  
Plaintiff,

vs.


MERRICK GARLAND, JAMES E.  
BOASBERG, R. ANDREW MURRAY, AND  
FOREIGN INTELLIGENCE  
SURVEILLANCE COURT,  
Defendants.

ORDER

THIS MATTER is before the Court following Plaintiff's failure to respond to this Court's Show Cause Order, (Doc. No. 3), directing him to show cause why the complaint against Defendants should not be dismissed for failure to prosecute. Plaintiff has failed to respond to this Court's Show Cause Order, and the time for doing so has long expired. For the reasons stated in the Show Cause Order, (Doc. No. 3), the Complaint is DISMISSED WITHOUT PREJUDICE and WITHOUT LEAVE TO AMEND.<sup>1</sup> The Clerk of Court is respectfully directed to enter judgment accordingly and CLOSE THE CASE.

IT IS SO ORDERED.

Signed: December 13, 2022

  
Frank D. Whitney  
United States District Judge

<sup>1</sup> See Britt v. DeJoy, 45 F.4th 790, 798 (4th Cir. 2022) ("By now holding that an order dismissing a complaint without prejudice and without granting leave to amend is final, we anchor ourselves to precedent that balances the district court's position as master of its docket, this Court's supervisory authority, the need for clarity in assessing the finality of an order, and—ultimately—judicial efficiency." (cleaned up)).